

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,

6:69-cv-07941- MV/KK
RIO CHAMA STREAM SYSTEM

v.

Section 3, Rio Cebolla

ROMAN ARAGON, *et al.*,

Subfile Nos. CHCB-001-0007,
CHCB-002-0001B, CHCB-002-0002C,
CHCB-002-0009

Defendants.

**MOTION TO EXTEND DEADLINES IN ORDER SETTING TRIAL
IN SECTION 3, RIO CEBOLLA SUBFILES**

COMES NOW the undersigned attorney, Ted J. Trujillo, on behalf of the Defendants, Chacon Family LLC, formerly Charlie Chacon and Geralda M. Chacon and the Delfin O. and Frances S. Quintana Trust, and pursuant to the Court's Order Setting Trial, Document 11138, filed on August 30, 2016, Defendants respectfully request that the October 14, 2016 deadline, be extended to October 26, 2016, for the submission of the following items: (i) a consolidated exhibit list identifying all exhibits that the parties have stipulated are admissible; (ii) a consolidated exhibit list identifying all exhibits to which there are objections; (iii) objections to proposed exhibits; (iv) two (2) sets of each party's proposed exhibits; (v) witness lists; and (vi) proposed findings of fact and conclusions of law.

Defendants request that the November 4, 2016 deadline in the Order Setting Trial for "Motions in limine and responses to objections to exhibits", be extended to November 16, 2016.

All other deadlines in the Order Setting Trial would remain the same as follows:
“Responses to motions in limine and replies regarding objections to exhibits are due Friday, November 25, 2016. Replies regarding motions in limine are due Friday, December 9, 2016... Pre-trial conference is set for January 12, 2017 at 9:30... and “trial for this matter is set for 8:30 a.m. to 4:30 p.m., Tuesday through Friday, beginning on February 21, 2017, before the Honorable Kirtan Khalsa, United States Magistrate Judge, in the Cimarron Courtroom, Suite 560, at the Pete v. Domenici Courthouse, 333 Lomas Blvd. NW, Albuquerque, New Mexico.”

Defendants propose that this extension of time will enable the parties to more effectively complete all preliminary matters, including interaction of Counsel, as needed to compile consolidated exhibit and witness lists no later than 30 calendar days before trial. Felicity Strachan, Counsel for the Plaintiff, State of New Mexico, has been provided with a draft of this Motion and they do not oppose this motion.

WHEREFORE, the undersigned Defendants’ counsel respectfully requests an amended Order Setting Trial to reflect the changes to the deadlines herein requested.

LAW OFFICES OF TED J. TRUJILLO

By: /s/ Ted J. Trujillo

Ted J. Trujillo

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